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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Qureshey, et al.	Group Art Unit: 2681
Appl. No.	:	09/933,568	
Filed	:	August 20, 2001	
For	:	INTELLIGENT RADIO	
Examiner	:	unknown	

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

October 26, 2001
(Date)

Lee W. Henderson Ph.D., Reg. No. 41,830

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed August 1, 2000, in a parent application (U.S. Application No. 09/096703), Applicants respectfully submit the following comments in connection with the above-captioned application. Applicants respectfully request consideration of the present application in view of the the following remarks.

Pending Claims

Claims 1-4 and 6-49 were canceled by a previous amendment filed on August 20, 2001.

Response to Rejection of Claim 5 Under 35 U.S.C. § 102(e)

The Examiner rejected Claim 5 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,014,569 to Bottum. Bottum describes a subscriber system that includes receiving identification data from a subscriber and, in response to the identification data, transmitting asynchronous audio data to an authorized subscriber via a wireless communication system. Bottum does not describe a broadcast system. Data is sent only to authorized subscribers. Bottum also does not teach or suggest receiving data using different types of communication (e.g., modem and a broadcast radio receiver). Bottum only teaches receiving data through one mechanism (subscriber-based wireless). Since Bottum does not teach or suggest different types of communication, Bottom provides no teaching that the same or similar controls are used to select data from different types of